GOVERNEMNT OF ANDHRA PRADESH
ABSTRACT

Industries & Commerce Department - Mines & Geology - Sri C. Mohan Rao, the then Asst. Director of Mines & Geology, Nandigama, presently working as Deputy Director of Mines and Geology, Kadapa - Departmental Proceedings under Rule-20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Articles of charges – Issued.

INDUSTRIES & COMMERCE (VIGILANCE) DEPARTMENT

G.O.RT.No. 77 Dated: 19-03-2020

Read the following :

(1) Vigilance Report No.20 (C.No. 107/V&E/NR.1/2017), dt 28.02.2018.
(2) Govt. Memo No. 1808/Vig/Al/2018-1, dt: 22.03.2018 from the Ind. & Com(Vig)., Department.

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ORDER:

It is proposed to hold an enquiry against Sri C. Mohan Rao, the then Asst. Director of Mines & Geology, Nandigama, presently working as Deputy Director of Mines and Geology, Kadapa in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges and statement imputations (Annexure-I & II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III to IV).

3. Sri C. Mohan Rao, the then Asst. Director of Mines & Geology, Nandigama, presently working as Deputy Director of Mines and Geology, Kadapa is directed to submit his written statement of defense within 10 days from the date of receipt of this order and also to state whether he desires to be heard in person.

4. Sri C. Mohan Rao, the then Asst. Director of Mines &. Geology, Nandigama, presently working as Deputy Director of Mines and Geology, Kadapa is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri C. Mohan Rao, the then Asst. Director of Mines & Geology, Nandigama, presently working as Deputy Director of Mines and Geology, Kadapa is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above further action will be taken based on the material available.

6. Attention of Sri C. Mohan Rao, the then Asst. Director of Mines & Geology, Nandigama, presently working as Deputy Director of Mines and Geology, Kadapa is informed that under Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1954, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri C. Mohan Rao, the then Asst. Director of Mines & Geology, Nandigama, presently working as Deputy Director of Mines and Geology, Kadapa is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of the G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. RAMGOPAL
PRINCIPAL SECRETARY TO GOVERNMENT (MINES)

To
Sri C. Mohan Rao, the then Asst. Director of Mines & Geology, Nandigama, presently working as Deputy Director of Mines and Geology, Kadapa(Through Director of Mines & Geology, Vijayawada)
The Director of Mines and Geology, Ibrahimpatnam.(with request to serve & return served copy to Government)
Sf/Sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE – I

Articles of charges framed against Sri C. Mohan Rao, the then Asst. Director of Mines & Geology, Nandigama, presently working Deputy Director of Mines and Geology, Kadapa.

CHARGE NO. 1 :

That he while working as Asst. Director of Mines and Geology, Nandigama, the following irregularities have taken place during his tenure.

That he while working as Asst. Director of Mines and Geology, Nandigama, he has issued 1000 cum of temporary permits for Gravel in favour of Sri. V. Srinivasa Rao in Sy.No. 21/6 of Pallagiri village , Nandigama Mandal without following Departmental procedure.

Thus the delinquent officer totally failed to perform his legitimate duties and he is held responsible for the same and violated Rule -3 of APCS(Conduct) Rules, 1964.

CHARGE NO. 2:

That he while working as Asst. Director of Mines and Geology, Nandigama, he has not issued any instructions to his sub-ordinates for inspection of temporary permitted area to help Sri. P. Srinivasa Rao, temporary permit holder to wipe out the activity of illegal excavation of Gravel, which has lead the temporary permit holder excavated more than the permitted quantity i.e. 20,680 cum illegally within & outside the allotted areas, in the guise of temporary permits issued by the Mines & Geology Department caused loss of revenue Rs.39,29,200/- to the Government exchequer.

Thus the delinquent officer totally failed to perform his legitimate duties and he is held responsible for the same and violated Rule -3 of APCS(Conduct) Rules, 1964.

K. RAMGOPAL
PRINCIPAL SECRETARY TO GOVERNMENT (MINES)

ANNEXURE – II

Statement of imputations on Misconduct / Misbehavior in support to the charges framed against Sri C. Mohan Rao, the then Asst. Director of Mines & Geology, Nandigama, presently working as Duputy Director of Mines and Geology, Kadapa.

That, Sri C. Mohan Rao while working as the Asst. Director of Mines & Geology, Nandigama, the following irregularities have been taken place during his tenure.

The Deputy Director of Mines & Geology, Kakinada has granted a quarry lease for Gravel in favour of Smt. J. Venkata Ravamma over an extent of 5.00 hectors in Sy.No. 21/6 of Pallagiri village, Nandigama Mandal for a period of five years the lease was executed work order issued by the Assistant Director of Mines & Geology, Nandigama w.e.f. 18.05.2010 to 17.05.2015. vide Proceedings No. 562/Q/2009, Dt. 18.05.2010.

The lease holder has obtained 22,797 Cum of transit permits from 21.05.2010 to 04.02.2012 by paying advance seigniorage fee for transportation of Gravel from her quarry lease area. Subsequently, the quarry lease holder has encroached outside the leased area and excavated and transported 3,565 Cum of Gravel without payment of seigniorage fee. Due to above illegal quarrying, the lease holder has paid normal seigniorage fee of Rs 78,430/-, later on the quarry lease was determined by Deputy Director of Mines & Geology, Kakinada due to non working and nonpayment of advance dead rent vide Proceedings No. 1738/Q4/2010, Dt. 02.12.2013.

The Officials of the Vigilance & Enforcement Department visited the office of the Commissioner, Nandigama Nagara Panchayat and Assistant Director of Mines & Geology, Nandigama in Krishna District on 05.07.2017 and verified the records regarding allotment /execution of road works and issue of temporary permits for Gravel in favour of Sri. V. Srinivasa Rao in Sy.No. 21/6,26/1 of Pallagiri village, Nandigama Mandal and noticed that the Commissioner, Nandigama Nagar Panchayat entered into an agreement with Sri. V. Srinivasa Rao for laying of Gravel roads and filling of pot holes in 05 wards i.e. Ward No's 02,10,13,17 and 19 of Nandigama Nagara Panchayat.

The Commissioner, Nandigama Nagara Panchayat has requested the ADM&G, Nandigama to issue temporary permits for Gravel in favour of Sri. V. Srinivasa Rao, Contractor in Sy.No. 21/6,26/1 vide Roc.No. 870/2014/E1, Dt. 26.06.2015. Further as per M. Books it was noticed that the contractor Sri. V. Srinivasa Rao has consumed 3,133 Cum of Gravel the above said road works and the Nandigama Nagar Panchayat have deducted seigniorage fee of Rs. 85,400/- from the above contractor work bills.

Further the Assistant Director of Mines & Geology, Nandigama issued 1000 Cum of temporary permits in favour of Sri. V. Srinivasa Rao for Gravel in Sy.No.21/6, 26/1 of Pallagiri Village, Nandigama Mandal from 29.06.2015 to 31.07.2015 vide Proceeding No 2792/TP No 07/2015-16, Dt. 29.06.2015.

Further Vigilance & Enforcement Officials along with Revenue & Mines & Geology Department Officials have inspected Sy.No. 21/6 of Pallagiri village, Nandigama Mandal, Krishna district on 11.10.2017 and noticed illegal excavated 20,680 Cum of Gravel without payment of seigniorage fee in the guise of temporary permits issued by the Assistant Director of Mines & Geology, Nandigama, Krishna District.

Finally the Vigilance & Enforcement Department has concluded that the Assistant Director of Mines & Geology, Nandigama issued 1000 Cum of temporary permits in favour of Sri. V. Srinivasa Rao for Gravel in Sy.No.21/6, 26/1 of Pallagiri Village, Nandigama Mandal from 29.06.2015 to 31.07.2015 vide Proceeding No 2792/TP No 07/2015-16, Dt. 29.06.2015, without following due procedure i.e

whenever any application is received for granting of quarry lease temporary permits, the Assistant Director of Mines & Geology should acknowledge receipt to the applicant , fix up the date of inspection / survey for fixation of boundaries and measurements of the old pits available if any, in applied area etc., Further one set of application should be sent to the Tahsildhar concerned for NOC, category and availability of land for grant of lease or temporary permit.

Sri C. Mohan Rao while working as the Asst. Director of Mines & Geology, Nandigama, presently working as Deputy Director of Mines & Geology, Kadapa, failed to refer the application for survey/inspection and obtaining NOC from the Revenue Department. But he has issued temporary permits in favour of contractor and allowed quarrying operations from 29.06.2015 to 31.07.2015 by deviating the departmental procedures. Due to his in-action, the temporary permit holder has illegally excavated 20,680 Cum of Gravel, worth Rs. Rs.33,08,800/- from the TP area (Government land) without payment of seigniorage fee in the guise of temporary permit and thereby caused loss of revenue of Rs. 6,20,400/- to the Government exchequer.

That, Sri C. Mohan Rao, the then ADM&G, Nandigama , presently working as Deputy Director of Mines & Geology, Kadapa has totally failed to discharge his legitimate duties with due care and diligence resulting in adversely affecting the administration is thereby held responsible for the same and thus violated Rule-3 of APCS (Conduct) Rules, 1964.

K. RAMGOPAL
PRINCIPAL SECRETARY TO GOVERNMENT (MINES)

ANNEXURE - III

List of documents relied upon to substantiate charges framed against Sri C. Mohan Rao, the then Asst. Director of Mines & Geology, Nandigama, presently working as Asst. Director of Mines and GeologY, Eluru.

1) Vigilance Report No.20 (C.No.107/V&E/NR.1/2017), dt 28.02.2018.
2) Proceedings No. 1738/Q4/2010 , Dt.14.05.2010 from Deputy Director of Mines & Geology, Kakinada.
3) Proceedings No. 562/Q/2009 , Dt.18.05.2010 from Assistant Director of Mines & Geology, Nandigama.
4) Proceedings No. 1738/Q4/2010 , Dt.02.12.2013 from Deputy Director of Mines & Geology, Kakinada.
5) Roc.No. 870/2014/E1, Dt. 26.06.2015, from the Commessioner of Nandigama Nagara Panchayath.
6) Proceedings No. 2792/TP No.07/2015-16 , Dt.29.06.2015 from Assistant Director of Mines & Geology, Nandigama.

K. RAMGOPAL
PRINCIPAL SECRETARY TO GOVERNMENT (MINES)

ANNEXURE - IV

List of witness to sustain the charges framed against Sri C. Mohan Rao, the then Asst. Director of Mines & Geology, Nandigama, presently working as Asst. Director of Mines and Geology, Eluru.

--- NIL ---

K. RAMGOPAL
PRINCIPAL SECRETARY TO GOVERNMENT (MINES)